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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
 (Submit an original and a duplicate for fee processing)
 2. Applicant claims small entity status.
 See 37 CFR 1.27.
 3. Specification [Total Pages 46]
 (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Relating to a Government Sponsored R & D
 - Reference to sequence listing, a table,
 or a computer program listing, appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 8]

5. Oath or Declaration [Total Pages 2]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
 (for a continuation/divisional with Box 18 completed)
 1. DELETION OF INVENTOR(S)
 Signed statement attached deleting inventor(s),
 named in the prior application, see 37 CFR
 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

Continuation Divisional Continuation-in-part (CIP)

Prior application information *Examiner Unknown*

of prior application No. 09 / 908,440

Group / Art Unit: 2176

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 35602 or Correspondence address below
 (Insert Customer No. or Attach bar code label here)

| | | | | | |
|---------|-----------------------------|-----------|--------------|----------|------------------|
| Name | Stephen C. Glazier | | | | |
| | Kirkpatrick & Lockhart LLP | | | | |
| Address | 1800 Massachusetts Ave., NW | | | | |
| | Suite 200 | | | | |
| City | Washington | State | DC | Zip Code | 20036 |
| Country | USA | Telephone | 202-778-9045 | | Fax 202-778-9100 |

| | | | |
|-------------------|---------------------------|-----------------------------------|---------------|
| Name (Print/Type) | Stephen C. Glazier | Registration No. (Attorney/Agent) | 31,361 |
| Signature | <i>Stephen C. Glazier</i> | | Date 27/08/03 |

Patent Office Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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10/08/03



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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2990)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | Not Yet Assigned |
| Filing Date | Herewith |
| First Named Inventor | LIGHTNER, et al. |
| Examiner Name | |
| Group / Art Unit | |
| Attorney Docket No. | 0307091.0158 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
 Deposit Account

Deposit Account Number 50-1/21

Deposit Account Name Kirkpatrick & Lockhart LLP

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|---------------|---------------|-----------------|------------------------|
| 1001 | 740 | 2001 | 370 | Utility filing fee 750 |
| 1002 | 330 | 2002 | 165 | Design filing fee |
| 1003 | 510 | 2003 | 255 | Plant filing fee |
| 1004 | 740 | 2004 | 370 | Reissue filing fee |
| 1005 | 160 | 2005 | 80 | Provisional filing fee |

SUBTOTAL (1)

(\$ 750)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|-------------|
| 99 | -20 ** | 78 | X 18 = 1404 |
| Independent Claims | | | |
| 12 | -3 ** | 9 | X 84 = 756 |

Multiple Dependent X = 0

Large Entity

Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1202 | 18 | Claims in excess of 20 | 620 |
| 1201 | 84 | Independent claims in excess of 3 | 1460 |
| 1203 | 280 | Multiple dependent claim, if not paid | 130 |
| 1204 | 84 | ** Reissue independent claims over original patent | 1907 |
| 1205 | 18 | ** Reissue claims in excess of 20 and over original patent | 50 |

SUBTOTAL (2)

(\$ 2160)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------|--|----------|
| 1051 | 130 | 2051 | 65 Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 For filing a request for reexamination | |
| 1904 | 920* | 1904 | 920* Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 Extension for reply within first month | |
| 1252 | 400 | 2252 | 200 Extension for reply within second month | |
| 1253 | 920* | 2253 | 450 Extension for reply within third month | |
| 1254 | 1,440 | 2254 | 720 Extension for reply within fourth month | |
| 1255 | 1,960 | 2255 | 980 Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 150 Notice of Appeal | |
| 1402 | 320 | 2402 | 160 Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 Petition to revive - unavoidable | |
| 1453 | 1,280 | 2453 | 640 Petition to revive - unintentional | |
| 1501 | 1,280 | 2501 | 640 Utility issue fee (or reissue) | |
| 1502 | 460 | 2502 | 230 Design issue fee | |
| 1503 | 620 | 2503 | 310 Plant issue fee | |
| 1490 | 130 | 1460 | 130 Petitions to the Commissioner | |
| 1807 | 50 | 1907 | 50 Processing fee under 37 CFR 1.17 (q) | |
| 1806 | 180 | 1906 | 180 Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 Recording each patient assignment per property (times number of properties) | 80 |
| 1809 | 740 | 2809 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 740 | 2810 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 740 | 2801 | 370 Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 80)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Stephen C. Glazier

Registration No./Attorney/Agent

31,361

Telephone 202-778-9045

Signature

Date

2 July 03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is made available by the USPTO to process an application. Confidentiality is given by 35 U.S.C. 122. The time required to complete is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This does not include the time spent upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)

| | |
|----------------------|--|
| First Named Inventor | LIGHTNER, et. al |
| Title | Internet-Based Emissions Test for Vehicles |
| Atty Docket Number | 0307091.0158 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2 July 03

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. ET 801839946US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Alexandria, VA 22313-1450.

8 July 2003

Date of Deposit

Cabo - Corone

Signature

Carlo Corone

Typed or Printed Name of Person Signing Certificate



Signature

Stephen C. Glazier

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case.